



JULY 2003 AGENDA

SUBJECT	X	ACTION
Federal Wavier – Safe and Drug Free School Innovative Programs Under NCLB		INFORMATION
		PUBLIC HEARING

Recommendation:

The SBE adopt a policy to review future NCLB Title IV waivers of science-based research request on a case-by-case basis.

Summary of Previous State Board of Education Discussion and Action

Has not been previously discussed.

Summary of Key Issue(s)

- Federal Authority requires a waiver policy.
- It will be necessary for some schools to consider seeking a wavier.
- Even if a waiver is granted the district must meet critical factors for quality.

Fiscal Analysis (as appropriate)

CDE staff time will be required to review waivers and subsequent annual reports indicating program quality and evaluation / research results.

Attachment(s)

- [Attachment A: Federal Wavier Safe and Drug Free Schools Innovative Program \(Pages 3\)](#)
- [Attachment B: Science-Based Programs \(Pages 2\)](#)
- [Attachment C: Promising or Favorable Programs \(Pages 2\)](#)



California State Board of Education Policy

POLICY #
07-0?
DATE
DRAFT

WAIVER GUIDELINES

Federal Waiver – Safe and Drug Free School Innovative Programs Under NCLB

REFERENCES: Authority:

“No Child Left Behind Act” (NCLB) Title IV, Part A, Section 4115 (a)(3)

HISTORICAL NOTES

2002 HR 1 “No Child Left Behind” authorized several waivers to be approved by the “SEA”

Federal Section involved:

No Child Left Behind Act (NCLB) Title IV, Part A, Section 4115 (a)(1)(C):

For a program or activity developed pursuant to this subpart to meet the principles of effectiveness, such program or activity shall be based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use.

Federal Waiver Authority:

No Child Left Behind Act (NCLB) Title IV, Part A, Section 4115 (a)(3): A local educational agency may apply to the State for a waiver of the requirement of subsection (a)(1)(C) to allow innovative activities or programs that demonstrate substantial likelihood of success.

Background:

The United State Department of Education issued Guidance for State and Local Implementation of SDFSC Programs with the following frequently asked question:

“May an LEA apply for a waiver of the requirement to implement programs that are scientifically based?”

Consistent with Section 4115(a)(3) of the SDFSCA, LEAs may apply to their SEA for a waiver of the requirement to implement programs that are scientifically based. However, LEAs applying for waivers must demonstrate that funded programs or activities are innovative and have a substantial likelihood of success. The Department encourages SEAs, in considering requests for waivers, to apply criteria that will permit the implementation of services and activities highly likely to be successful. For example, SEAs may want to consider to what extent proposed programs address the elements of the definition of scientifically based research.”

In the NCLB, Title IX, Part A, Section 9105 (37) the term ‘scientifically based research’—
(A) means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs;
and

(B) includes research that—

- (i) employs systematic, empirical methods that draw on observation or experiment;
- (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify

California Department of Education

1430 N Street, Suite 6408
Sacramento, California 95814
(916) 319-0920
(916) 319-0218 (fax)



Federal Waiver – Innovative and Promising Programs Under NCLB

DATE draft

the general conclusions drawn;

(iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;

(iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;

(v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and

(vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

Safe and Drug Free Schools and Communities (SDFSC) funds must be used to support programs or activities that effectively reduce alcohol, tobacco, other drug use, or violence, based on evidence provided by scientific research. The Local Educational Agency Plan (LEAP) requires the Local Educational Agency (LEA) to use one or more science-based programs listed in Attachment A (formerly LEAP Appendix C) recognized for effectively preventing alcohol, tobacco, other drug use or violence.

In order to use SDFSC funds to support any of the promising programs listed in Attachment B (formerly LEAP Appendix E), or to support any program not otherwise listed in Attachment A, the LEA must submit a waiver. The programs listed in Attachment B are often not afforded top recognition because such programs do not yet have sufficient scientific support to meet criteria set for “effective” status. In some cases such programs were not evaluated in multiple trials or have not yet collected longitudinal data. The chance that these programs will prove to be effective when used is less than for the science-based programs listed in Attachment A. When any Attachment B program is implemented, there must be a commitment to conduct an outcome evaluation. The LEA using an Attachment B program under waiver will need to contact program providers or developers and volunteer to take part in any clinical evaluation or research designed to evaluate the program’s effectiveness.

Waiver Guidelines

The LEA must apply for a waiver of NCLB, Title IV, Part A, Section 4115 (a)(1)(C) in order to use SDFSC funds to support the cost of any program listed in Attachment B, or otherwise **not** listed in Attachment A. If approved, this waiver will allow the LEA to use such funds to support the cost of an innovative program that demonstrates substantial likelihood of success. The innovative program covered by the waiver should be taking part in scientifically based research as defined in the NCLB Section 9105. The developers or publishers of the program must commit to submitting the program for review by one of the agencies cited in Attachment A that use a rigorous process to recognize science-based programs. Biennial waiver renewal will be based on adequate progress being made towards submitting the program for such a review.



Required Documentation:

Waiver approval will be based on the extent to which proposed programs address the elements of scientifically based research as defined in the NCLB. Since the State Board of Education’s authority to grant a waiver is based on an innovative program demonstrating substantial likelihood of success, a waiver request must address the following three criteria:

1. Is the program innovative? Provide a description of the program’s target population, activities, lessons, or strategies sufficient to establish that the program is innovative relative to other commonly used prevention programs. Provide a time line and history of program development or implementation to establish that the program is innovative in terms of being a new program. Provide a rationale for why the applicant believes the program is innovative and deserving of evaluation.
2. Does the program demonstrate substantial likelihood of success? Provide a rationale for why the applicant believes the program has substantial likelihood of success for preventing alcohol, tobacco, other drug use or violence. Describe outcome measures based on preliminary or concurrent program evaluation. If an evaluation report is available from program developers or publishers, then the applicant may cite information from the report or attach the report to the application.
3. Describe the program developer’s or publisher’s plan and timeline for submitting the program for review and recognition by one of the reputable groups identified in Attachment A (California Healthy Kids Resource Center: Research-Validated Programs; University of Colorado: Blueprints; Center for Substance Abuse Prevention: Model Programs; or United States Department of Education: Expert Panel). The description should establish the applicant’s commitment to supporting the scientific evaluation of the program and willingness to take part in clinical trials designed to measure program effectiveness. A report describing adequate progress for submitting the program for recognition as a science-based program must be annually submitted to the Waiver Office.

Who Should Apply:

Applicants who want to support the evaluation or clinical trial of prevention programs that are genuinely innovative and that are committed to demonstrating substantial likelihood of success for preventing alcohol, tobacco, other drug use or violence. The program must be subject to scientifically based research with the intent to submit the program for review in order to be added to the lists of recognized science-based programs.

Period of Request:

Waivers will be granted for a maximum of two years, contingent upon the LEA submitting an annual report describing adequate progress, as noted in Item 3 above. A previously approved waiver may be submitted for renewal.

ATTACHMENT B (Formerly Leap Appendix C)

Science-Based Programs							
<p>Science-based research has provided evidence of effectiveness for the following school-based prevention programs. Each of the listed programs has been identified as a research-validated, exemplary, or model program by one or more of the following agencies: The California Healthy Kids Resource Center, the Center for Substance Abuse Prevention, United States Department of Education's Expert Panel, or the University of Colorado's Center for the Study and Prevention of Violence. Some of these programs are also discussed in the California Department of Education's publication <i>Getting Results</i>. Websites where additional information can be found about each program's description, target population, and outcomes are listed below. The code in the last column of the menu provides a quick reference indicating which websites have information specific to each program.</p> <p>A: < http://www.californiahealthykids.org > (California Healthy Kids Resource Center: Research-Validated Programs)</p> <p>B: < http://www.colorado.edu/cspv/blueprints/model/overview.html > (University of Colorado: Blueprints)</p> <p>C: < http://modelprograms.samhsa.gov/model_prog.cfm > (Center for Substance Abuse Prevention: Model Programs)</p> <p>D: < http://www2.edc.org/msc/model.asp > (United States Department of Education: Expert Panel)</p> <p>E: < http://www.gettingresults.org/ > (Getting Results)</p>							
School-Based Programs							
Name	Intended program outcomes and target grade levels. See research for proven effectiveness						
	Grade	Alcohol	Tobacco	Drugs	Violence	Youth Dev.	Website
Across Ages	4 to 8	x	x	x		x	C,
Al's Pals: Kids Making Healthy Choices	Pre K to 2				x		C, D
All Stars™	6 to 8	x	x	x			A, C, D, E
ATLAS (Athletes Training and Learning to Avoid Steroids)	9 to 12	x		x			A, B, C, D,
Border Binge Drinking Reduction Program	K to 12	x			x		C,
Child Development Project/Caring School Community	K to 6	x		x	x	x	A, B, C, D, E
Cognitive Behavioral Therapy for Child Sexual Abuse	Families				x		C
Cognitive Behavioral Therapy for Child Traumatic Stress	Families				x		C
Coping Power	5 to 8			x	x		C
DARE To Be You	Pre-K	x		x	x	x	A, C,
Early Risers Skills for Success	K to 6				x		C,
East Texas Experiential Learning Center	7	x	x	x	x	x	C
Friendly PEERsuasion	6 to 8	x					C
Good Behavior Game	1 to 6				x		B, C
High/Scope Perry Preschool Project	Pre-K				x	x	B, C, E
I Can Problem Solve	Pre-K				x		A, B, D
Incredible Years	K to 3				x	x	B, C,
Keep A Clear Mind	4 to 6	x	x				A, C,
Leadership and Resiliency	9 to 12					x	C,
Botvin's LifeSkills™ Training	6 to 8	x	x	x	x		A, B, C, D, E
Lions-Quest Skills for Adolescence	6 to 8					x	D, C, E
Minnesota Smoking Prevention Program	6 to 10		x				A, D, E
Olweus Bullying Prevention	K to 8				x		B, C, E
Positive Action	K to 12	x	x	x	x	x	C, D,
Project ACHIEVE	Pre-K to 8				x	x	A, C, E
Project ALERT	6 to 8	x	x	x			A, C, D, E
Project Northland	6 to 8	x		x			A, B, C, D, E
Project PATHE	9 to 12					x	B, E
Project SUCCESS	9 to 12	x	x	x			C,
Project Toward No Drug Abuse (TND)	9 to 12	x	x	x	x		C,
Project Toward No Tobacco Use (TNT)	5 to 8		x				A, C, D, E
Promoting Alternative Thinking Strategies (PATHS)	K to 6				x		A, B, C, D,
Protecting You/Protecting Me	K to 5	x					C,

Quantum Opportunities	9 to 12					x	B, E
Reconnecting Youth	9 to 12	x		x	x	x	A, C, E
Responding in Peaceful and Positive Ways	6 to 12			x	x		C, D, E
Rural Educational Achievement Project	4				x		C
School Violence Prevention Demonstration Program	5 to 8				x		C
Second Step	Pre-K to 8				x		A, C, D,
Skills, Opportunities, and Recognition (SOAR): Seattle Social Development Project:	K to 6	x			x	x	B, C, D, E
SMART Leaders	9 to 12			x			C
Social Competence Promotion Program for Young Adolescents (SCPP-YA)	5 to 7			x			C
Start Taking Alcohol Risks Seriously (STARS) for Families	6 to 8	x					C,
Students Managing Anger and Resolution Together (SMART) Team	6 to 9				x		C, D,
Too Good for Drugs	K to 12	x	x	x	x		C
Community and Family-based Programs							
	Intended program outcomes and target setting. See research for proven effectiveness						
Name	Target Population	Alcohol	Tobacco	Drugs	Violence	Youth Dev.	Website
Big Brothers Big Sisters	Community					x	B, E
Brief Strategic Family Therapy	Families			x			B, C,
CASASTART	Community			x	x		B, C, D,
Communities Mobilizing for Change	Community	x					C
Creating Lasting Family Connections	Families (6 to 12)	x		x		x	A, C, D,
Families That Care – Guiding Good Choices	Families	x		x			C
Families And Schools Together (FAST)	Families				x		C,
Family Development Research Project	Families				x		C
Family Effectiveness Training	Families				x		C,
Family Matters	Families	x	x				C
FAN (Family Advocacy Network) Club	Families			x		x	C
Functional Family Therapy	Families	x		x	x		B, E
Home-Based Behavioral Systems Family Therapy	Families				x		C
Houston Parent-Child Development Program	Parents					x	C
Multisystemic Therapy	Parents			x	x		B, C, E
Nurse-Family Partnership	Parents		x				B, C,
Parenting Wisely	Parents				x		C,
Preparing for the Drug Free Years	Parents (4 to 7)	x		x		x	A, B, C, D,
Project Star (Students Taught Awareness and Resistance): Midwestern Prevention Project	Community	x	x	x			B, D, C, E
Schools and Families Educating Children (SAFE Children)	Families					x	C
Stopping Teenage Addiction to Tobacco	Community		x				C
Strengthening Families Program	Families (4 to 6)	x		x	x	x	A, C, D,

ATTACHMENT C (Formerly Leap Appendix E)

Promising or Favorable Programs							
<p>Either the United States Department of Education's Expert Panel, the University of Colorado's Center for the Study and Prevention of Violence, or the Center for Substance Abuse Prevention has identified the programs listed below as producing a consistent positive pattern of results (CSAP) or have evidence of a deterrent effect (Blueprints) but otherwise did not match all of the criteria established by these agencies to be identified as an exemplary or model program. The code in the last column of the chart provides a quick reference indicating which web sites have information specific to each program.</p> <p>A: < http://www.californiahealthykids.org > (California Healthy Kids Resource Center)</p> <p>B: < http://www.colorado.edu/cspv/blueprints/model/overview.html > (University of Colorado: Blueprints)</p> <p>C: < http://modelprograms.samhsa.gov/model_prog.cfm > (Center for Substance Abuse Prevention)</p> <p>D: < http://www2.edc.org/msc/model.asp > (United States Department of Education: Expert Panel)</p> <p>E: < http://www.gettingresults.org/ > (Getting Results)</p>							
Name	Grade, or Setting	Alcohol	Tobacco	Drug	Violence	Youth Dev.	Web site
Adolescent Alcohol Prevention Trial	5 to 7			x			C
Aggression Replacement Training	School				x		D
Aggressors, Victims, and Bystanders	6 to 9				x		D
Asain Youth Alliance	teens			x		x	C
Baby Safe (Substance Abuse Free Environment) Hawaii	Families	x	x	x			C
Basement Bums	6 to 8		x				A
Be a Star	K to 6					x	C
Behavioral Monitoring and Reinforcement	7 to 8			x	x		C
Bilingual/Bicultural Counseling and Support Services	Communities	x		x			C
Brain Power	Elementary				x		C
Bully Proofing Your School	K to 8				x		B
CAPSLE (Creating a Peaceful School Learning Environment)	K to 5				x		B
Club Hero	6					x	C
Coca-Cola Valued Youth Program (CCVYP)	School					x	B
Colorado Youth Leadership Project	7	x				x	C
Comer School Development Program (CSDP)	School					x	B
Communities of Caring	K to 12	x		x	x		D
Dando Fuerza a La Familia	Families			x		x	C
Earls court Social Skills Group Program	K to 6					x	B
Effective Black Parenting Program (EBPP)	Families				x		B
Facing History and Ourselves	7 to 12				x		D
Family Health Promotion	Families	x	x	x		x	C
FAST Track	1 to 6				x		B
Get Real About Violence	K to 12				x		C
Growing Healthy	K to 6	x	x	x			D
Intensive Protective Supervision Program	Community				X		B
Iowa Strengthening Families Program	Family	x					B
Kids Intervention with Kids in School (KIKS)	6 to 12	x	x	x	x	x	C
Let Each One Teach One	Mentoring					x	D
Linking the Interests of Families and Teachers (LIFT)	1 to 5				x		B, C, D
Lion's Quest Working Toward	5 to 9				x		D

Peace								
Massachusetts Tobacco Control Program	7 to 12		x					C
Michigan Model for Comprehensive School Health Education	K to 12	x	x	x				D
Multi modal Substance Abuse Prevention	Adjudicated Adolescents				x			C
Open Circle Curriculum	K to 5					x	x	D
Parent-Child Assistance Program (P-CAP)	Families	x			x			C
PeaceBuilders	K to 8					x		D
Peacemakers Program	4 to 8					x		D
Peer Assistance and Leadership	9 to 12				x	x		C
Peer Coping Skills (PCS)	1 to 3					x		B
Peers Making Peace	K to 12					x		D
Personal/Social Skills Lessons	6 to 12			x				A
Plan A Safe Strategy (PASS)	10	x						C
Preventive Alcohol Education Program	9-12	x						C
Preventive Intervention	6 to 8				x			B
Preventive Treatment Program	Parents				x	x		B
Primary Mental Health Project	Pre k to 3							D
Project Alive	K to 12		x					A
Project BASIS	6 to 8					x	x	C
Project Break Away	6 to 8		x	x				C
Project Life	9 to 12		x					A
Project PACE	4						x	C
Project SCAT	4 to 12		x					A
Project Status	6 to 12				x	x	x	B
Project Venture	9 to 12 Native Americans	x	x	x	x	x	x	C
Safe Dates	School					x		B
Say It Straight (SIS) Training	6 to 12	x						D
SCARE Program	Teens					x		D
School Transitional Environmental Program	9 to 12				x	x	x	B
Smokeless School Days	9 to 12		x					A
Social Decision Making and Problem Solving	1 to 6	x				x		D
Social Decision Making and Problem Solving Program (SDM/PS)	K to 5						x	B
Socio-Moral Reasoning Development Program (SMRDP)	School					x		B
Storytelling for Empowerment	6 to 8	x			x			C
Strengthening Hawaii Families	Families				x			C
Strengthening the Bonds of Chicano Youth & Families	Communities	x			x			C
Syracuse Family Development Program	Family					x		B
Teams-Games-Tournaments Alcohol Prevention	10 to 12	x						C
Teenage Health Teaching Modules	6 to 12		x					C, D
Teens Tackle Tobacco! - Triple T	6 to 12		x					A
The Scare Program	School					x		D
The Think Time Strategy	K to 9					x		D
Tinkham Alternative High School	9 to 12						x	C
Tobacco-Free Generations	8 to 12		x					A
Viewpoints	9 to 12					x		B
Woodrock Youth Development Project	K to 8	x	x	x			x	C
Yale Child Welfare Project	Families					x		B